

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Smt. Nageena Sultana Begum, the then Accountant in Nidadavole Municipality, West Godavari District and now working in Ramachandrapuram Municipality, East Godavari District - Disciplinary Proceedings instituted under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Enquiry conducted – Imposed penalty of with holding of two increments of pay with cumulative effect and also recovery proportionate share at 5% from misappropriated amount of Rs. 58,20,000/- Orders - Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II-2) DEPARTMENT

G.O.RT.No. 704

Dated:23.08.2014

Read

1. G.O.Ms.No.1085, MA&UD(L1) Dept., dated.29.08.2011.
2. Representation of Smt. Nageena Sultana Begum, the then Accountant in Nidadavole Municipality, West Godavari District, dt.03.10.2011.
3. G.O.Rt.No. 4, MA&UD(L1) Dept dt.03.01.2012.
4. From Enquiry Officer Lr.Roc.No.13281/2011/C1, dt.12.10.2012.
5. Govt.Memo No.21174/L1/2011-5, Dt.06.11.2012.
6. Written explanation of Smt. Nageena Sultana Begum, dt.14.05.2013.
7. From the Hon'ble APAT, Hyd. Order dt:19.02.2013 in OA No.810/2013.
8. From the CDMA, AP, Hyderabad Lr.NO.13281/2011-C1, dt.17.10.2013.
9. From the Hon'ble HC of Telangana & AP, Hyd. Orders, dt:23.06.2014 in WP No.4907/2013.
10. Govt. Letter No. 21174/Vig.II/2011, dated 19.8.2014 addressed to the Secretary, APPSC., Hyderabad.

O R D E R:

Smt. Nageena Sultana Begum, the then Accountant and others of Nidadavole Municipality, West Godavari District were suspended on the allegations of Misappropriate of funds vide CDMA proceedings dt.04.08.2011 and later reinstated vide CDMA Proceedings dt.12.10.2012.

2. In the reference 1st read above, orders have been issued framing the following articles of charges against Smt.Nageena Sultana Begum, the then Accountant in Nidadavole Municipality, West Godavari District under Rule-20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 for committing certain irregularities in misappropriation of Municipal funds of Rs.58.20 lakhs in Nidadavole Municipality, West Godavari District:-

CHARGE No.1

That she had failed to verify the Chitta collection daily and remittance made in the bank or treasury by Sri T.Radhakrishna, Shoroff (Record Assistant), Nidadavole Municipality and failed to reconcile each cash book with chitta, bank remittances and subsidiary registers and thereby failed to discharge the primary duties attached to the post of Accountant and thus she facilitated Mr.T.Radhakrishna to misappropriate huge money, for that Sri T.Radhakrishna, Shroff (Record Assistant), Nidadavole Municipality has misappropriated an amount of Rs.58.20 Lakhs during the period from 28.5.2009 to 28.6.2011.

CHARGE No.2

Thus, on account of above mentioned charges, she has exhibited her lack of integrity, devotion, dedication and dereliction of duty and also exhibited her carelessness and negligent attitude and indulgence in the activities which are unbecoming of an employee of an institution, there by contravened Rule 3 of A.P.C.S. (Conduct) Rules, 1964.

3. In the reference 2nd read above, the charged officer has submitted her written statement of defense, wherein she had denied all the charges and also requested to drop further action against her. On the examination of the matter, Government have appointed the Enquiry Officer and Presenting Officer to conduct regular enquiry in the matter vide reference 3rd read above.

4. In the reference 4th read above, the Enquiry Officer has submitted his enquiry report and held that all charges framed against all (6) Charged Officers including Smt. Nageena Sultana Begum, the then Accountant in Nidadavole Municipality, West Godavari District are proved.

5. In the reference 5th read above, copy Enquiry Report was communicated to all the (6) Charged Officers including to above charged officer to offer her representation. In terms of Rule 21(2) of APSCS(CCA) Rules, 1991. In the said Memo, the Charged Officer was also informed as to why proportionate share of misappropriation amount of Rs.58.20 lakhs shall not be recovered from her. In the reference 6th read above, Smt.

Nageena Sultana Begum, Nidadavole Municipality has submitted her explanation and requested to drop further action in the matter.

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6. In the reference 7th read above, in OA NO.810/2013 filed by Smt. Nageena Sultana Begum, the Hon'ble APAT vide its order dated 19.02.2013, has directed the respondents to examine the case of the applicant for promotion to the post of Manager/Revenue Officer in Category-III without reference to pendency of the disciplinary proceedings issued vide reference 1st read above in terms of G.O.Ms.No.257 GA (Ser.C) Department, dt.10.06.1999 and take appropriate action.

7. The Commissioner and Director of Municipal Administration, A.P, Hyderabad has filed WP No.4907/2014 before the Hon'ble High Court of Telangana & AP against the above APAT order. In the order 9th read above, the Hon'ble High Court has disposed of the W.P.No.4907/2014 with the following directions:-

".....In view of the above, except passing of final orders nothing has been left in the Departmental Proceedings. Therefore, at request of the learned Government Pleader for Services-I we grant four (4) weeks time to enable the Disciplinary Authority to pass appropriate orders, in accordance with law. The said exercise shall be completed within a period of four(4) weeks from the date of receipt of a copy of this order. If the Disciplinary Authority fails to pass the order within the time stipulated, the case of the applicant has to be considered for promotion to the post of Manager/Revenue Officer in Category-III, without reference to the pendency of the disciplinary proceedings issued vide G.O.Rt.No.1085 MA&UD(L1) Dept., Dt.29.08.2011".

8. As the order of the Hon'ble High Court of Telangana & A.P has been received by Government, dt:24.07.2014, appropriate orders have to be passed by 23.8.2014.

9. Government after examination of the matter including the representation of the C.Os and after duly consulting the Advisory Authority, have decided to impose suitable penalties, besides recovery of the proportionate share of misappropriated amount of Rs 58.20 Lakhs from them.

10. Government after careful examination of the matter have decided to impose a penalty stoppage of two Annual grade increments with cumulative effect against Smt.Nageena Sultana Begum and also order for recovery of proportionate share of 5% of Rs. 58,20,000/- of misappropriated amount from her. In the reference 10th read above, Govt., have addressed, the Secretary A.P.P.S.C, A.P, Hyderabad to convey their concurrence to the above proposal. The concurrence of APPSC is awaited.

11. Government after examination of the matter and in compliance with the orders of Hon'ble High Court, hereby impose a penalty of with holding of Two Annual Grade Increments of Pay with cumulative effect against Smt.Nageena Sultana Begum, formerly Accountant, Nidadavolu Municipality for the charges held proved. Govt. also hereby order recovery of proportionate share of 5% of misappropriated amount of Rs. 58,20,000/- i.e. Rs. 2,91,000/- (Rupees two lakhs and ninety one thousand only) from Smt. Nageena Sultana Begum, Nidadavole Municipality, W.G.Dist, pending receipt of concurrence of APPSC, Hyderabad.

12. The Commissioner and Director of Municipal Administration, A.P, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNER OF ANDHRA PRADESH)

Dr. D. SAMABASIVA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To

Smt. Nageena Sultana Begum, the then Accountant in Nidadavole Municipality, West Godavari District and now working in Ramachandrapuram Municipality, East Godavari District – **through** the Commissioner and Director of Municipal Administration, A.P, Hyderabad

The Commissioner and Director of Municipal Administration, AP, Hyderabad.

Copy to:

The Regional Director-Cum-Appellate Commissioner of Municipal Administration, Rajahmundry.

The Secretary, AP Vigilance Commission. A.P. Secretariat.

The Secretary, APPSC, Nampally, Hyderabad

The Commissioner, Nidadavole Municipality,(With dated acknowledgement)

The Govt. Pleader for Services., APHC., Hyderabad

The Govt. Pleader for MA & UD (Ser). APAT, Hyderabad

The PS to M (MA & UD).

Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER.